

**IN LIEU OF DIRECTORS' ORGANIZATIONAL MEETING**  
**Monday, January 31<sup>st</sup>, 2022**

**I. DIRECTORS CORRESPONDENCE**

1. BP210118-1 Historic Preservation Commission, Geri Rorabaugh
2. BP220118-2-1 AA Weekly Approvals, Shelli Reid
3. BPC220120-1 PC Action, Shelli Reid
4. BP220121-1 MPO Technical Committee, Geri Rorabaugh
5. BFB211220 – Jan. 2022 Sales Tax Report, Claire Oglesby
6. BP220126AA Weekly Approvals, Shelli Reid
7. BP220126-1 Urban Design Committee, Geri Rorabaugh
8. SP17022A Appeal, Shelli Reid

**II. CONSTITUENT CORRESPONDENCE**

1. Ordinance 21.18.034, Larry Carr
2. Opposition to SP17022A, James Rohr
3. Special Permit SP17022A, Mary & Mark Mitchell
4. Dominion at Stevens Creek Special Permit 17022A, Orson & Sue Robinson
5. Special Permit SP17022A, Holly Hartman
6. Opposition to special permit 17022A, Meredith Hruby
7. Meeting January 24, Opposition to Special Permit SP17022A, Malissa Watson
8. Opposition to Special Permit SP17022A, Michelle Smith
9. Opposition to SP17022, Kathryn Doornbos
10. Understaffing at LPD, Met Shafer Gallager
11. Apprentice Bonus, Kent Thompson
12. Vote Yes on new city flag design, Shawna Richter-Ryerson
13. Opposition to Special Permit #17022A, Lisa Martz
14. Opposition to SP17022A, Linda Kennedy
15. Appeal of the Planning Commission's Recommendation on Stevens Creek Special Permit 17022A, Orson Robinson, Jr.
16. New City Flag, Kris Thompson

# HISTORIC PRESERVATION COMMISSION

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **January 20, 2022**, at **1:30 p.m.** in Room 113, County-City Building, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

Masks are strongly encouraged for our public meetings in this building.

## AGENDA

1. Approval of HPC meeting record of December 16, 2021.
2. Opportunity for persons with limited time or an item not on the agenda to address the Commission.

## HEARING AND ACTION

3. Certificate of Appropriateness for work at 352 South 29<sup>th</sup> Street, in the East Lincoln/Elm Park Landmark District – *UDR22003*

## DISCUSS AND ADVISE

4. Misc. & Staff Report

*The Historic Preservation Commission's agenda may be accessed on the Internet at*  
<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Historic-Preservation-Commission>

## ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

# *Memorandum*

**Date:** January 18, 2022  
**To:** City Clerk  
**From:** Teresa McKinstry, Planning Dept.  
**Re:** Administrative Approvals  
**cc:** Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from January 11, 2022 through January 17, 2022:

**Administrative Amendment 21060** to Use Permit 19001A, Great Plains Beef, approved by the Planning Director on January 10, 2022 to expand the building envelope to accommodate a proposed greenhouse building, add a land use table and amending two notes, on property generally located at N. 84<sup>th</sup> Street and Havelock Avenue.

**Administrative Amendment 21064** to Use Permit 57E, Lincoln Crossing, approved by the Planning Director on January 10, 2022 to revise the layout for buildings W, X and Y to show early childhood care facility and uses, increase the overall square footage for the Use Permit from 866,539 to 885,639 square feet and reduce the front yard setback for Building Y from 35 feet to 20 feet, on property generally located at N. 27<sup>th</sup> Street and Folkways Boulevard.



## **\*\*ACTION BY PLANNING COMMISSION\*\***

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 19, 2022, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

**MASKS ARE STRONGLY ENCOURAGED FOR OUR PUBLIC MEETINGS IN THIS BUILDING**

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of \*FINAL ACTION\*. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing [Plan@lincoln.ne.gov](mailto:Plan@lincoln.ne.gov) by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

### **AGENDA**

**WEDNESDAY, JANUARY 19, 2022**

**[Commissioner Ball and Cruz absent]**

Approval of minutes of the regular meeting held January 5, 2022. **\*\*APPROVED: 7-0; (Ball and Cruz absent)\*\***

#### **1. CONSENT AGENDA (Public Hearing and Administrative Action)**

##### **COMPREHENSIVE PLAN AND RELATED ITEMS:**

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 21026, to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, an amendment to the "Dairy House (Telesis Meadowgold) Redevelopment Project", which is included as part of the Lincoln Center Redevelopment Plan, to revise the order of the project phases and identify that the Phase II Project will consist of the rehabilitation of the structures identified as Condominium units G, H, I, and J for additional offices and manufacturing space for the company occupying Units E and F and affiliated with The Dairy House, LLC, on property generally located at 300 South 7th Street.  
**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**  
**Planning Commission recommendation: FINDING OF CONFORMANCE; 7-0 (Ball and Cruz absent). Public hearing before the City Council is tentatively scheduled for Monday, February 14, 2022, 3:00 p.m.**



**ANNEXATION AND RELATED ITEMS:**

- 1.2a ANNEXATION 21012, to annex approximately 5.45 acres, more or less, on property generally located southeast of South 40th Street and Rokeby Road.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Benjamin Callahan, 402-441-6360, [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)**  
**This item was removed from the Consent Agenda for a separate public hearing.**  
**Planning Commission recommendation: CONDITIONAL APPROVAL; 7-0 (Ball and Cruz absent), as set forth in the conditions of the revised staff report dated January 13, 2022, as agreed upon by the applicant. Public hearing before the City Council is tentatively scheduled for Monday, February 7, 2022, 3:00 p.m.**
- 1.2b CHANGE OF ZONE 20002A, Grandale South Planned Unit Development, for a change of zone from AG (Agricultural District) to R-5 (Residential District) PUD (Planned Unit Development), to expand the existing PUD by 5.45 acres to allow for an additional 120 dwelling units, 120 hotel units and a 9,000 square foot decrease in commercial floor area with approval of a development plan with modifications to the Zoning Ordinance and Land Subdivision Ordinance, on property generally located at South 40th Street and Rokeby Road.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Benjamin Callahan, 402-441-6360, [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)**  
**This item was removed from the Consent Agenda for a separate public hearing.**  
**Planning Commission recommendation: CONDITIONAL APPROVAL; 7-0 (Ball and Cruz absent), as set forth in the conditions of the revised staff report dated January 13, 2022, as agreed upon by the applicant. Public hearing before the City Council is tentatively scheduled for Monday, February 7, 2022, 3:00 p.m.**

**MISCELLANEOUS:**

- 1.3 MISCELLANEOUS 21014, to review the proposed determination that the South Folsom Redevelopment Area be declared blighted and substandard as defined in the Nebraska Community Development Law. The study area is approximately 73 acres and is generally located south of Pioneers Boulevard, adjacent to South Folsom Street and Highway 77.  
**Staff recommendation: Finding of substandard and blighted conditions**  
**Staff Planner: Benjamin Callahan, 402-441-6360, [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)**  
**Planning Commission recommendation: FINDING OF SUBSTANDARD AND BLIGHTED CONDITIONS; 7-0 (Ball and Cruz absent), Public hearing before the City Council is tentatively scheduled for Monday, February 14, 2022, 3:00 p.m.**

2. **REQUESTS FOR DEFERRAL:**      **See Items 2.1a and 2.1b.**

**ANNEXATION AND RELATED ITEMS:**

- 2.1a ANNEXATION 21010, to annex approximately 41.99 acres, more or less, on property generally located NE of South 70th Street and Yankee Hill Road.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**Planning Commission granted a request on behalf of the applicant to defer public hearing and action on this application to the February 16, 2022, hearing.**

- 2.1b CHANGE OF ZONE 21053, from AG (Agricultural District) to R-3 (Residential District) District) PUD (Planned Unit Development) for the Market Pointe PUD for up to 120,000 square feet of commercial floor and up to 464 multiple-family dwelling units with adjustments to the Zoning and Subdivision Ordinances, on property generally located NE of South 70<sup>th</sup> Street and Yankee Hill Road.

**Staff recommendation: Denial**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**Planning Commission granted a request on behalf of the applicant to defer public hearing and action on this application to the February 16, 2022, hearing.**

3. **ITEMS REMOVED FROM CONSENT AGENDA:** See Items 1.2a and 1.2b.
4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:** None

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AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM  
NOT ON THE AGENDA, MAY DO SO.

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Adjournment: 1:19 p.m.



## Lincoln Metropolitan Planning Organization

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County-City Building  
555 South 10<sup>th</sup> Street - Suite 213  
Lincoln, Nebraska 68508  
(402) 441-7491

**To:** Technical Committee Members  
**From:** Elizabeth Elliot, Technical Committee Chair  
**Subject:** Technical Committee Meeting

**Date:** January 31, 2022  
**Time:** 3:00 p.m. – 4:00 p.m.  
**Place:** Council Chambers, County-City Building

### Meeting Agenda:

*Roll call and acknowledge the "Nebraska Open Meeting Act"*

1. Review and action on the draft minutes of the November 29, 2021 Technical Committee meeting
2. Report on the Rotation of the Technical Committee Officers
3. Review and action on revisions to the FY 2022-2025 Transportation Improvement Program
  - a. Nebraska Department of Transportation, I-80, Milford to Lincoln: Remove the project
4. Report on the development and review schedule for FY 2023-2026 Transportation Improvement Program
5. Report on the FHWA/FTA MPO Certification Report
6. Other topics for discussion

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# *Memorandum*

**Date:** January 26, 2022  
**To:** City Clerk  
**From:** Teresa McKinstry, Planning Dept.  
**Re:** Administrative Approvals  
**cc:** Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from January 18, 2022 through January 24, 2022:

**Administrative Amendment 22003** to Special Permit 962C, Sunset View Estates, approved by the Planning Director on January 24, 2022, to reduce the west side yard setback for Lot 12, Sunset View Estates 2<sup>nd</sup> Addition from 30 feet to 20 feet, on property generally located at N. 40<sup>th</sup> Street and Ballard Avenue.

**Administrative Amendment 22005** to Special Permit 1873, Crown Castle Personal Wireless Facility, approved by the Planning Director on January 24, 2022, to acknowledge that Title 27 was amended in 2015 and the 15-year time limit approval provision was deleted from the Zoning Ordinance for personal wireless facilities, on property located at 4700 Antelope Creek Road.

# URBAN DESIGN COMMITTEE

The City of Lincoln Urban Design Committee will have a regularly scheduled public meeting on Tuesday, **February 1, 2022**, at **3:00 p.m.** in City Council Chambers on the 1<sup>st</sup> floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

## AGENDA

1. Approval of UDC meeting record of January 4, 2022.

## DISCUSS AND ADVISE

2. MAD48 (SAINT47) Redevelopment Project – *UDR21111*

## STAFF REPORT & MISC.

3. Staff report & misc; 2021 Annual Report

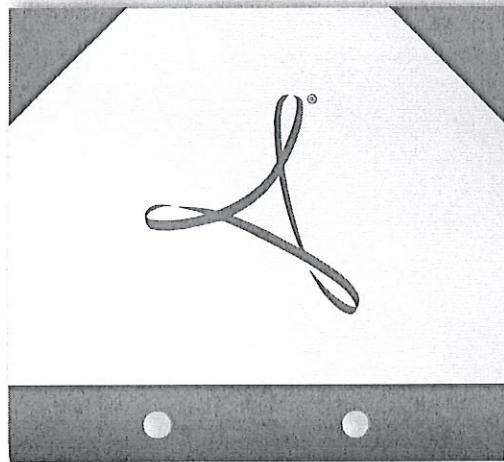
*Urban Design Committee's agendas may be accessed on the Internet at*

<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Urban-Design-Committee>

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<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/Agendas/2022/ag020122.docx>



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**JaMel E. Ways**

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**From:** Larry Carr <larrcrr@aol.com>  
**Sent:** Wednesday, January 19, 2022 5:18 PM  
**To:** Council Packet  
**Subject:** Ordinance 21.18.034

Dear Lincoln City Council Member,

Thank you for taking the time to read my letter regarding ordinance 21.18.034, Contractor Provisions, introduced by Council Member James Bowers. I support this ordinance 100%. This ordinance will finally level the playing field for all contractors who bid on work. For years in Lincoln, we have lost out on tax revenue, job opportunities, and safer jobs as contractors have cheated the system by misclassifying workers as independent contractors, not providing basic workers compensation insurance for all workers on job sites, and wage theft. These types of practices hurt contractors who play by the rules, as they lose out to contractors who cheat to get the lowest bid. It's time that we level the playing field for contractors who do the right thing. I appreciate your time and hope you support Lincoln workers and Lincoln contractors who do things the right way.

Sincerely,

Larry G. Carr  
6128 NW12th  
Lincoln, Nebraska 68521

Sent from the all new AOL app for iOS

## JaMel E. Ways

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**From:** James Rohr <jrohr26@gmail.com>  
**Sent:** Wednesday, January 19, 2022 7:32 PM  
**To:** James M. Bowers; Council Packet  
**Subject:** Opposition to SP17022A

Hello. And to whom it may concern,

As so many of my neighbors have done so already, I would also like to state my opposition to the Special Permit SP17022A of the proposed apartment complex in our Waterford / Dominion neighborhood.

To begin, I would like to start with being as transparent as possible. I live on the Waterford side. My address is 10309 Shoreline Dr. However, that doesn't negate the impact that this development will also have on us as well. Most of what you will find towards the end of my email will have been copy and pasted from previous emails. The reason being, it's already been said well and drives home the point and feelings we are all sharing about this news.

In 2019 I purchased my lot and started my build on my dream home, much like all my friends and neighbors in our community had, believing we were going to have a community free from apartments. As so many, I was also concerned and confused and then later angry about the proposed apartments going up at 105th and O street. As I live on Shoreline across from the new school going up, my concern is about the increase in traffic we are going to see from all the units that have grade school kids coming down the street to go to school. The traffic increase with the school already will be taxing enough, however, adding all those units with possible families coming down 105th towards the school will undoubtedly create unnecessary congestion. And let's not forget the shady way in which the special permit was sought. The day after a HOA meeting? The lack of notification to the entire neighborhood? It's a bait and switch at its finest!

Myself and a lot of members of our neighborhood that know about the special permit, urge you to reconsider allowing these proposed apartments to go through.

**Below is the copy and paste from a previous email that I spoke of before. I absolutely agree with all these points and concerns and would like them to be considered. DO NOT BUILD THE APARTMENT COMPLEX!!!**

From my perspective, this amendment is a bait/switch for existing homeowners, a potential attempt to quietly change the character of the neighborhood without soliciting existing homeowner feedback and, if approved, will have multiple detrimental effects upon the neighborhood :

1. **Traffic :** There is a significant traffic burden implicit in replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. This is a 6 fold increase in potential population density for this small area and - in a town like Lincoln where a car is nearly required to do business and manage a family - will undoubtedly create a 6-fold increase in motor-vehicle traffic on both the neighborhood roads and O street. Since I am sure part of the allure of placing apartments at this position is the new elementary school near Holdrege, much of this traffic volume may have a high likelihood of traversing the surface streets of the neighborhood ... these neighborhood streets are ill equipped (and not designed for) for a 6-fold increase in traffic. I'm also unsure that the 2 lane entry into the neighborhood from 105<sup>th</sup> to O is large enough to accommodate such traffic volume as I imagine this will be the main access point for residents of these proposed multi-family dwellings. Will there be a traffic light at 105<sup>th</sup> & O? Will there be turning lanes into (on O Street – turning left) & out of the neighborhood (turning right and left onto O street from 105<sup>th</sup>) – if so, how long will they be to accommodate the queue of cars at peak times of travel? The distance from the newly installed traffic circle on 105<sup>th</sup> to the 105<sup>th</sup>/O St interchange is exceedingly short and I don't think will accommodate significant length turning lanes onto O --- I expect this to



be a safety hazard in the future as traffic will have a penchant to back up into the traffic circle causing confusion and fender/benders.

2. **Parking :** I understand the developer is asking for no parking waiver and thus, by R-3 zoning requirements, will be required to provide for 1.5 parking spots per dwelling unit (for a total of 693 parking spots) By my calculations, a parking lot would need to be ~475ft wide x ~475ft deep (or a total area 225,625 sqft which is about 5 acres) for a 60° or 90° parking configuration. I have concerns that if parking capacity does not meet driver capacity (and the likelihood that 462 dwelling unities may need closer 2 parking spots per unit for a total of 924 cars) there will be overflow parking on the streets of the surrounding neighborhood. As I'm sure you are aware, within Dominion both driveway & garage parking capacity exists in these single family homes – very, very few cars are parked on the street for more than a few hours and nearly none are street parked overnight. I worry that overflow parking into the neighborhood will change this particular neighborhood character and lead to impediments in access for single family home owners, emergency vehicles, utility service vehicles, etc and frustrations by the neighbors.
3. **Storm Drainage :** the original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek often is full to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, I imagine this drainage may be over capacity for similar future rain events. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events and habitat degradation in bodies of water such as this one lake (now established for ~10years with its own ecosystem of fish, minks, fox, birds of prey and other water fowl).
4. **Home Values :** Research has shown that that housing prices tended to fall within close proximity to multi-family residential units (<https://www.sciencedirect.com/science/article/pii/S016604620400016X>) – I understand that home valuation is complex, market-driven and an imperfect science but the change of the neighborhood from a single family residential neighborhood to nearly 50% of the allowable CUP dwelling units being concentrated in a single building will undoubtedly impact resale values for adjacent homes and potentially the neighborhood as a whole.

I thank you for your time, I understand you have a lot of emails to go through.

James Rohr Jr  
402-450-3439



## JaMel E. Ways

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**From:** Becky <jamm4321@yahoo.com>  
**Sent:** Thursday, January 20, 2022 7:53 AM  
**To:** Council Packet; James M. Bowers  
**Subject:** Special permit SP17022A

> I am writing to be on record in opposition to Special permit SP17022A.  
> My family purchased a new construction home on N 104th St in June of 2021. We moved here from PA and we're drawn to Dominion at Stevens Creek because it is a quite single family and townhome community without a large multi family complex that so many of the neighborhoods of Lincoln have. We researched and according to that research there was no indication that the neighborhood zoning would change. We trusted in good faith that the April 2018 approved plan would stay status quo.  
> We are asking that the planning commission consider seriously how a large apartment complex would affect traffic, home values, storm drainage and overall appearance of our neighborhood.  
> It seems that the only party to benefit from this zoning change would be the pocketbook of the developer and that is truly not fair to the homeowners who have paid a substantial sum for their home in a nice quite development.  
>  
> Thank you,  
> Mary and Mark Mitchell

## JaMel E. Ways

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**From:** arubarobby@gmail.com  
**Sent:** Thursday, January 20, 2022 1:58 PM  
**To:** James M. Bowers; Jane Raybould; Tammy J. Ward; Bennie R. Shobe; Sandra J. Washington; Tom J. Beckius  
**Cc:** Council Packet  
**Subject:** Dominion at Stevens Creek Special Permit 17022A  
**Attachments:** RRobinson Additional Comments on Appeal of Special Permit 17022A.pdf

City Council Members:

Please see our additional comments regarding the November 17 Minutes of the Planning Commission and our appeal to overturn the earlier approval of Special Permit 17022A.

Thank you.

Orson R. Robinson, Jr.

[arubarobby@gmail.com](mailto:arubarobby@gmail.com)

402-202-4938

Sue D. Robinson

[arubasusie@gmail.com](mailto:arubasusie@gmail.com)

402-202-4988

January 20, 2022

Dear City Council Member:

With the filing of Special Permit 17022A, a fairly large number of residents in Dominion at Stevens Creek believe a *bait and switch* sham is being forced upon them. This has already been expressed in comments provided to both the Planning Commission and City Council members as well as being alluded to in the minutes of the November 17 meeting of the Planning Commission. However, several of the responses appear to have been confusing and I'd like to ask the Council to again probe this possibility in more detail at tomorrow's meeting.

As background, the group of Owners, Developers and Business Partners we believe were involved either directly or indirectly in developing and marketing the lot we purchased at 520 N. 105<sup>th</sup> Street in April 19, 2019 include the following:

- Lewis Starostka Inc – A secondary Property Owner
- Starostka Lewis LLC – A secondary Property Owner
- James Buell (Eagle, NE) – The original Property Owner
- Civil Design Group Inc – The Engineering firm that mapped and coordinated many filings with the City
- Dominion South LLC – The Developer
- Team Kraft (operating from within Nebraska Realty) – The realtor that sold the lots

Attachment 1 shows the 02-22-2018 Community Unit Plan only included single-family dwellings and specifically references the key business partners of the venture. I'm adding Team Kraft as well as it was the business that provided us with marketing information, pricing, Civil Design Group maps, phasing plans, etc., and which we dealt with almost exclusively before deciding to purchase our lot. Indeed, when I first found and called Starostka Group (apparently the parent company in Grand Island) in early 2019 asking whether I could purchase a lot in their new Dominion at Stevens Creek subdivision, they directed me to contact Nebraska Realty instead *as they will be selling the lots for us.*

Attachment 2 shows the 02-22-2018 "Final Approved Copy" of the Phasing Plan. Please note that the plan included five separate phases, including the types of residences planned for the subdivision. This doesn't seem to fit with the following exchange recorded in the minutes of the Planning Commission's November 17 meeting: *Edgerton asked if the Phases 1 through 3 were completely platted. Henrichsen said that the phasing plan all related to the northern development, but they wanted to make sure that they had the connection at 105<sup>th</sup> Street...*

Attachment 3 is the revised CUP that was submitted with Special Permit 17022A. Please note that it now includes the apartment complex and but more importantly still references the same group of highlighted business partners.



Collectively, the three documents prove the highlighted group of partners have been working together all along to execute both the original plan as well as to replace a large portion of it with the revised plan. This doesn't align with the following statement attributed to Mr. Rodenburg in the Minutes of the November 17 Meeting on Page 30: *He stated that he was also happy to hear that it was not the same developer as Dominion and Waterford, so it was not a bait and switch.*

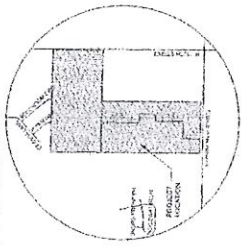
Many lots were sold to customers (including us) after the original CUP was approved and well before the revised CUP was submitted to the Planning Department. Thus, we remain convinced that the group of Developers and partners are deliberately attempting to execute a *bait and switch* fraud on current residents of the area, and we strongly encourage you to protect our rights to live in the type of subdivision of our choice and to overrule the Planning Commission's earlier approval of Special Project 17022A.

Thank you.

Robby and Sue Robinson  
520 N. 105<sup>th</sup> Street

# DOMINION AT STEVENS CREEK

## COMMUNITY UNIT PLAN



VICINITY MAP

### CUP LEGAL DESCRIPTION

As shown on the attached map, the Community Unit Plan for the Dominion at Stevens Creek is located in the City of Lincoln, Nebraska. The project is situated on the east side of the city, bounded by the Stevens Creek to the north, the 130th Street to the south, the 130th Avenue to the west, and the 130th Street to the east. The project consists of a total of 1,000 lots, with a total area of 100 acres. The project is located within the City of Lincoln, Nebraska, and is subject to the City's zoning regulations. The project is located within the City of Lincoln, Nebraska, and is subject to the City's zoning regulations. The project is located within the City of Lincoln, Nebraska, and is subject to the City's zoning regulations.

### SITE NOTES

1. THE PROJECT IS LOCATED IN THE CITY OF LINCOLN, NEBRASKA, AND IS SUBJECT TO THE CITY'S ZONING REGULATIONS.
2. THE PROJECT IS LOCATED IN THE CITY OF LINCOLN, NEBRASKA, AND IS SUBJECT TO THE CITY'S ZONING REGULATIONS.
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### WARRANTS

The undersigned warrants that the information contained herein is true and correct to the best of their knowledge and belief. The undersigned warrants that the information contained herein is true and correct to the best of their knowledge and belief. The undersigned warrants that the information contained herein is true and correct to the best of their knowledge and belief.

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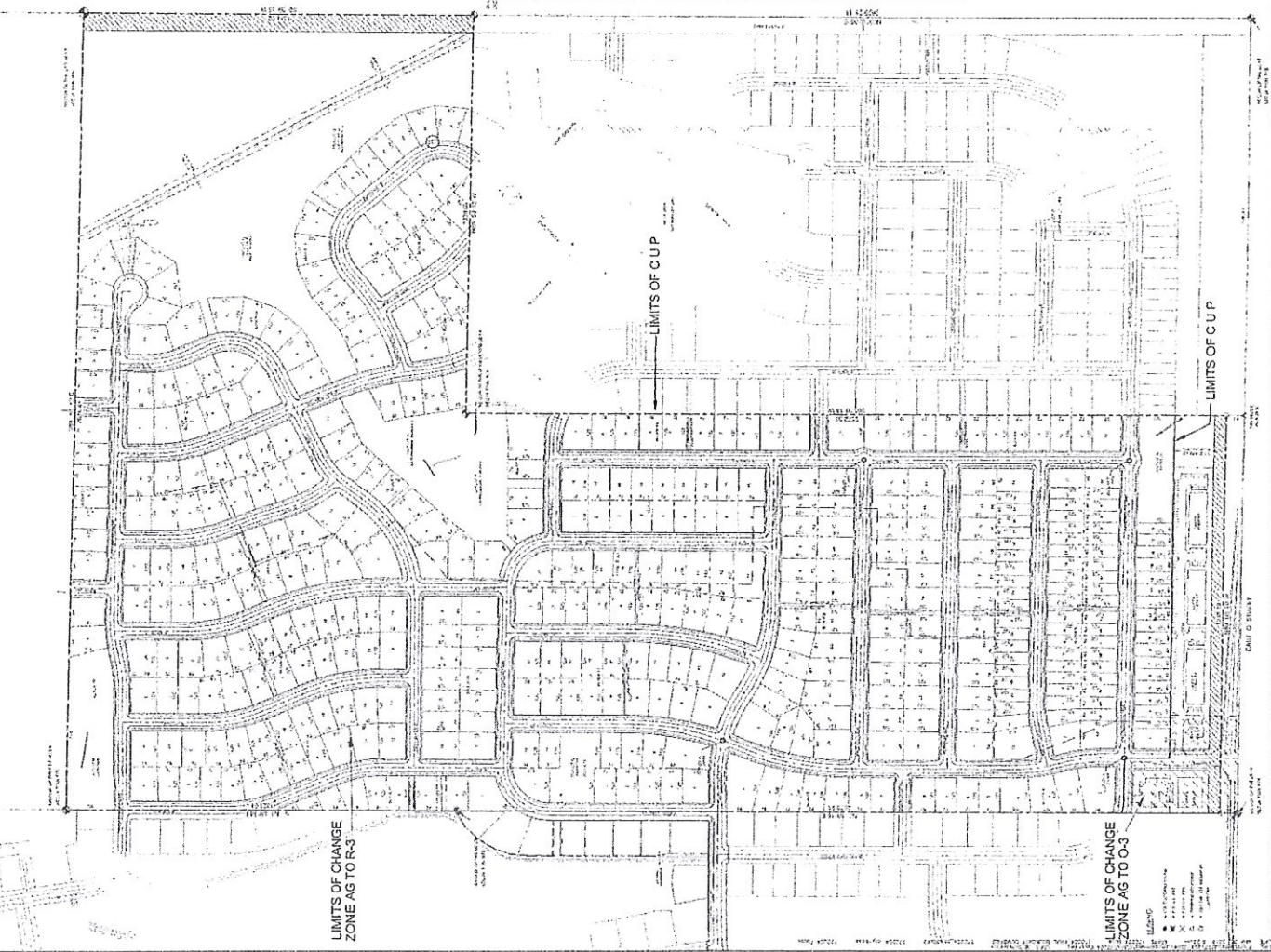
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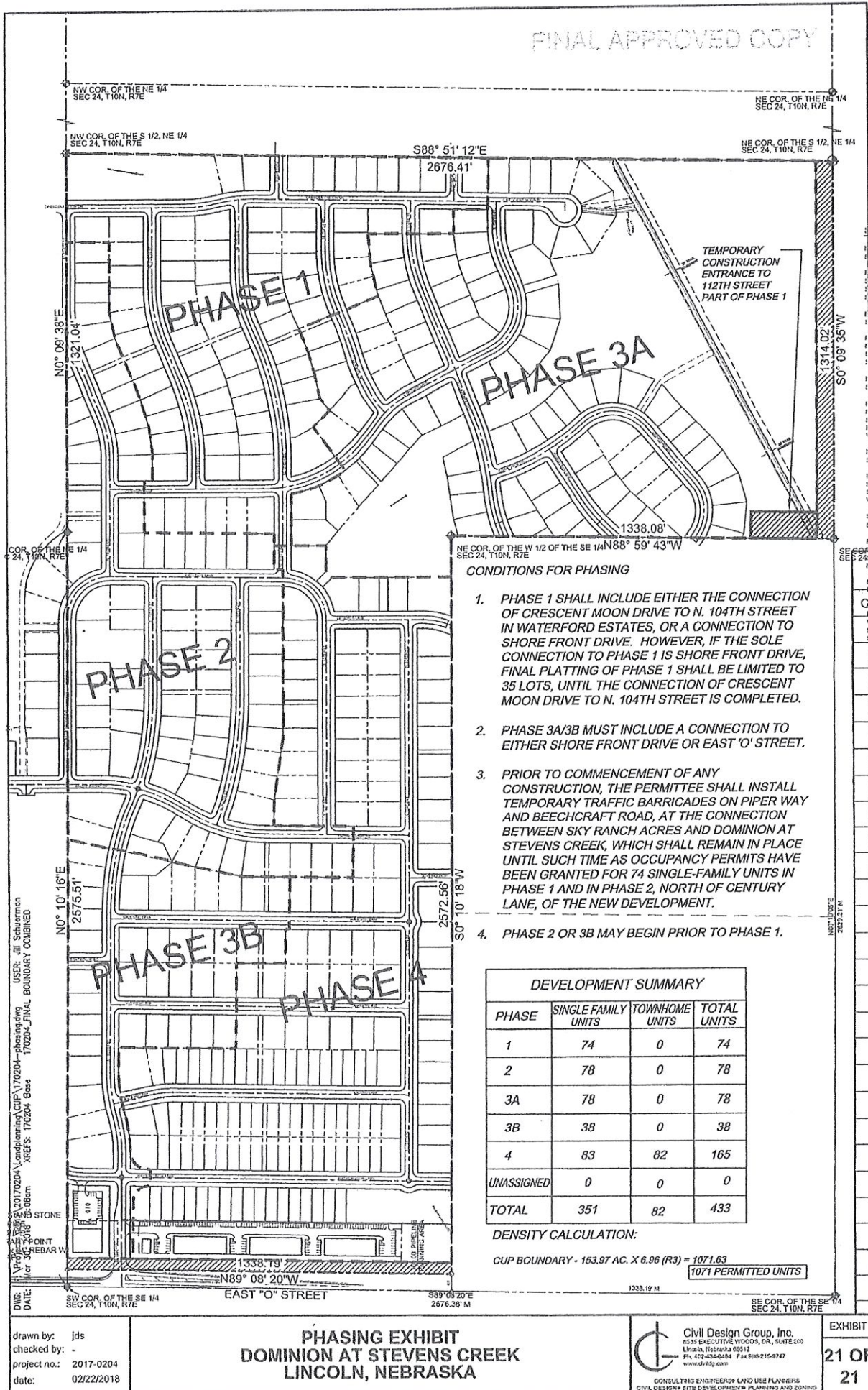
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C7	90.00	10.00	10.00	90.00
C8	90.00	10.00	10.00	90.00
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C100	90.00	10.00	10.00	90.00













## JaMel E. Ways

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**From:** Holly Hartman <hollyandjasonhartman@gmail.com>  
**Sent:** Thursday, January 20, 2022 3:12 PM  
**To:** Council Packet; James M. Bowers  
**Subject:** Special Permit SP17022A

I wanted to communicate my opposition to the which I received notice of in the mail. My family purchased a home at 434 N 104th St in June 2021. We valued that it was a new build in a neighborhood that was composed entirely of single family and townhomes. I received the notice of the public hearing for SP17022A via USPS and I am very unhappy about the proposed changes. Notably, this is my first notification of this change to the CUP. I think it is also very notable that this proposal has not been proactively presented by the developer to existing homeowners. From my perspective, this amendment is a bait/switch for existing homeowners, a potential attempt to quietly change the character of the neighborhood without soliciting existing homeowner feedback and, if approved, will have multiple detrimental effects upon the neighborhood :

1. **Traffic :** There is a significant traffic burden implicit in replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. This is a 6 fold increase in potential population density for this small area and - in a town like Lincoln where a car is nearly required to do business and manage a family - will undoubtedly create a 6-fold increase in motor-vehicle traffic on both the neighborhood roads and O street. Since I am sure part of the allure of placing apartments at this position is the new elementary school near Holdrege, much of this traffic volume may have a high likelihood of traversing the surface streets of the neighborhood ... these neighborhood streets are ill equipped (and not designed for) for a 6-fold increase in traffic. I'm also unsure that the 2 lane entry into the neighborhood from 105<sup>th</sup> to O is large enough to accommodate such traffic volume as I imagine this will be the main access point for residents of these proposed multi-family dwellings. Will there be a traffic light at 105<sup>th</sup> & O? Will there be turning lanes into (on O Street – turning left) & out of the neighborhood (turning right and left onto O street from 105<sup>th</sup>) – if so, how long will they be to accommodate the queue of cars at peak times of travel? The distance from the newly installed traffic circle on 105<sup>th</sup> to the 105<sup>th</sup>/O St interchange is exceedingly short and I don't think will accommodate significant length turning lanes onto O --- I expect this to be a safety hazard in the future as traffic will have a penchant to back up into the traffic circle causing confusion and fender/benders.
2. **Parking :** I understand the developer is asking for no parking waiver and thus, by R-3 zoning requirements, will be required to provide for 1.5 parking spots per dwelling unit (for a total of 693 parking spots) By my calculations, a parking lot would need to be ~475ft wide x ~475ft deep (or a total area 225,625 sqft which is about 5 acres) for a 60° or 90° parking configuration. I have concerns that if parking capacity does not meet driver capacity (and the likelihood that 462 dwelling unities may need closer 2 parking spots per unit for a total of 924 cars) there will be overflow parking on the streets of the surrounding neighborhood. As I'm sure you are aware, within Dominion both driveway & garage parking capacity exists in these single family homes – very, very few cars are parked on the street for more than a few hours and nearly none are street parked overnight. I worry that overflow parking into the neighborhood will change this particular neighborhood character and lead to impediments in access for single family home owners, emergency vehicles, utility service vehicles, etc and frustrations by the neighbors.
3. **Storm Drainage :** the original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek often is full to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, I imagine this drainage may be over capacity for similar future rain events. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events and habitat degradation in bodies of water such as this one lake (now established for ~10years with its own ecosystem of fish, minks, fox, birds of prey and other water fowl).

4. **Home Values :** Research has shown that that housing prices tended to fall within close proximity to multi-family residential units (<https://www.sciencedirect.com/science/article/pii/S016604620400016X>) – I understand that home valuation is complex, market-driven and an imperfect science but the change of the neighborhood from a single family residential neighborhood to nearly 50% of the allowable CUP dwelling units being concentrated in a single building will undoubtedly impact resale values for adjacent homes and potentially the neighborhood as a whole.

Holly Hartman  
434 N 104th Street  
Lincoln NE 68527



## JaMel E. Ways

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**From:** Meredith Hruby <merehruby@gmail.com>  
**Sent:** Thursday, January 20, 2022 10:26 PM  
**To:** Council Packet  
**Subject:** Opposition to special permit 17022A  
**Attachments:** Dominion Apt Site with notes.pdf

Hello City Council,

My name is Meredith Hruby and I live in Waterford Estates at 1424 N. 104th Street and I am a northeast Lincoln constituent.

I am writing to oppose special permit 10722A with the request for an amendment to the Dominion at Stevens Creek Community Unit Plan which would remove 77 single-family and townhome lots and add multi-family dwelling units.

I am greatly concerned about the impact this will have on traffic through my neighborhood and for the neighbors who are closer to the proposed location of the apartments. One of the exits proposed for this apartment complex will put traffic onto Wayborough Lane which curves into 104th. I think there is a high likelihood 104th would become the choice to leave the neighborhood to head north out of the complex. This will create additional traffic this neighborhood was not built for as well as possibly endangering kids crossing streets when the school on 102nd street is completed.

Parking may be a large issue as well. From the proposal I have seen it looks like they are planning approximately 123 parking garages and 226 surface parking spaces. This is not enough if they are planning 462 family units. This will lead to additional parking on the surface streets which can be extremely inconvenient, especially during winter storm events when people do not move for the snowplow operators to do their jobs. Document showing the proposal attached.

There are already apartments added along O Street directly south of SCC and since they continue to advertise along their property I think it's fair to say they are not fully rented. There are 20 apartment buildings within four miles of my address which does not include the apartments being built on Holdrege just south of the new round-about east of 84th Street and the ones that are in progress by Hy-Vee on 84th Street. The traffic on O Street already gets extremely backed up during high traffic times of day, an additional apartment building is only going to exacerbate these problems.

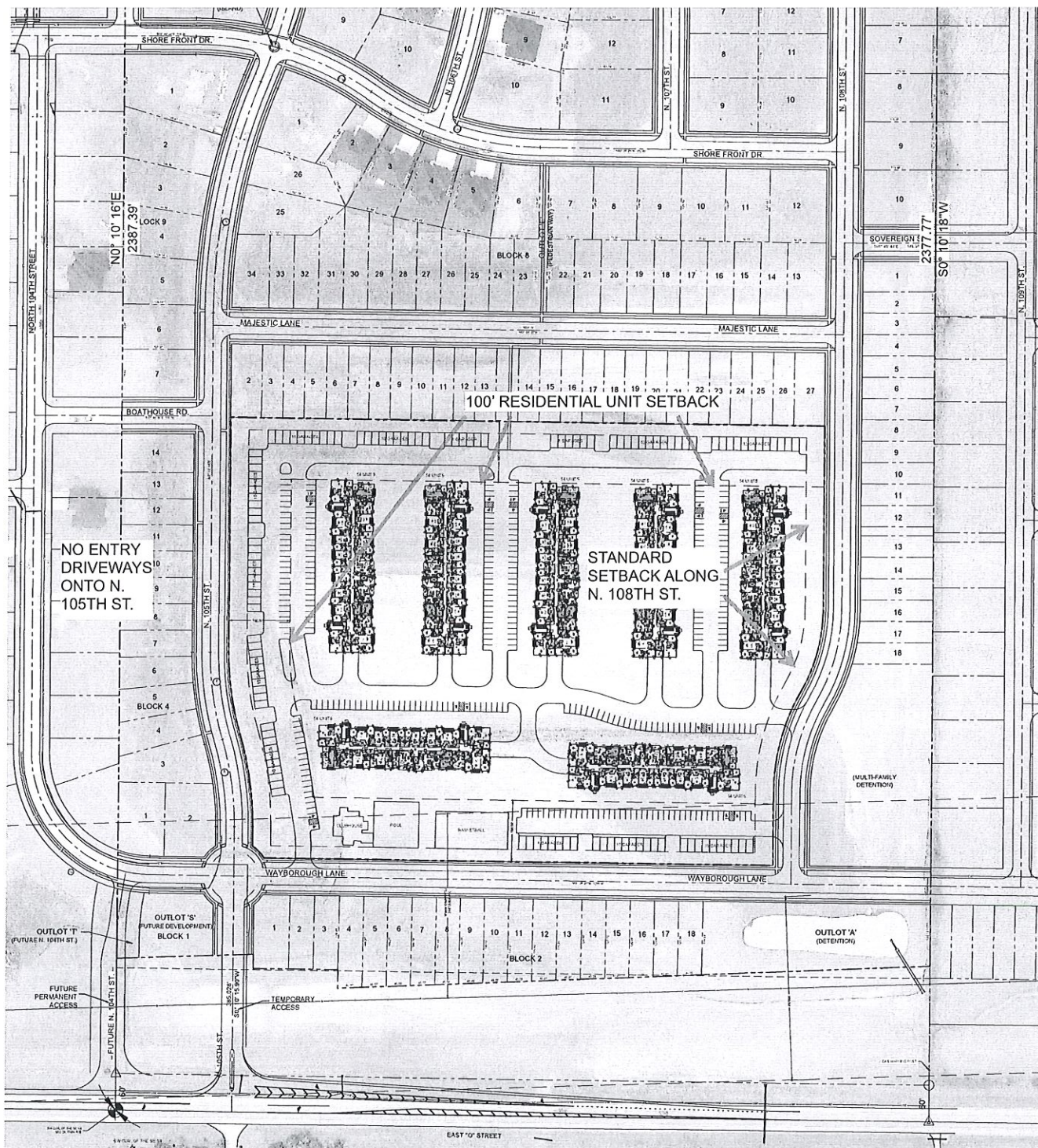
In addition I think it is in bad faith to make these changes when people purchased homes or lots in the neighborhood believing the previous zoning that indicated the neighborhood was only single family and townhomes. People made large purchase decisions based on what the neighborhood was advertised to be. My niece and her husband just purchased a lot on 107th Street and were never made aware of these changes during that process. I informed them that I had learned of this when my sister-in-law let me know they were moving close to us.

The neighborhood I left to move here had an apartment complex that backed up to our rear property line. While I'm sure there were some residents who minded their own business and were good neighbors, they were dominated by the noisy and inconsiderate people who lived there. I routinely had people throw trash over the fence between the properties and into my backyard. There were frequently screaming matches between people with subjects and language that I do not consider family friendly. I never want to live close to an apartment complex again. While this proposal is not right behind my home it is for many of my neighbors in the Dominion area.

I would like to reiterate that I am opposed to the proposed change. I implore you to take my and my neighbor's objections and to vote against this change.

Best Regards,  
Meredith Hruby





## JaMel E. Ways

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**From:** malissa watson <shorty88it@yahoo.com>  
**Sent:** Friday, January 21, 2022 10:48 AM  
**To:** Council Packet  
**Subject:** Meeting January 24, Opposition to Special Permit SP17022A  
**Attachments:** 220121 City Council Ltr to.pdf

Dear Council:

Attached, please find my written testimony/communication with respect to my objection to SP17022A. Thank you for your consideration.

Malissa Thongdy



January 21, 2022

Dear City Council:

This letter communicates my opposition to Special Permit SP17022A. I am strongly opposed to the 462 multifamily dwelling unit that will be placed in the middle of my neighborhood. My family and I moved to this neighborhood in June 2020. We have watched the neighborhood grow and love living in this area.

I understand this community/neighborhood is growing, and planning for future development is necessary. However, FINAL CUP for Dominion at Steven's Creek was approved in April 2018. I do not believe there should be any changes to the same. Specifically, there must be a more reasonable spot to place an apartment complex than in the middle of a neighborhood. This area does not need any more apartment complexes. I believe this amendment is a bait/switch for existing homeowners – an attempt to quietly change the character of the neighborhood without soliciting existing homeowner feedback that, if approved, will change the overall landscape and design of this quiet and beautiful neighborhood. My issues with the amendment are as follows:

A. **Apartments.** The following are existing apartment complexes and complexes under construction:

1. The Flats at Shadow Creek located at 90<sup>th</sup> and O Street;
2. Shadow Ridge at 90<sup>th</sup> and O Street;
3. College Park Apartment at 84<sup>th</sup> & O (next to SCC)
4. Sunridge Apartments (on 84<sup>th</sup> Street between O Street and Holdrege)
5. Timberline Apartments (on 84<sup>th</sup> Street between O Street and Holdrege)
6. Cornerstone Apartments (approx. 84<sup>th</sup> and Holdrege)
7. New Apartment complex on Holdrege between 84<sup>th</sup> Street and 98<sup>th</sup> Street
8. New Apartment complex next to Hy-Vee (84<sup>th</sup> Street & Northern Lights Drive)
9. Lexington Ridge Apartments at 84<sup>th</sup> and Lexington
10. A proposal for more Apartments in Waterford is in the planning stage and will be located at 98<sup>th</sup> & Boathouse Road. *(another huge mistake)*

The above-mentioned complexes are all located within 2-3 miles of the proposed complex at 105 & O. There are several other apartment complexes as you drive a few miles north on 84<sup>th</sup>, for example: Appleton Apartment Homes (84<sup>th</sup> & Leighton); The Villas at Mahoney (84<sup>th</sup> & Fremont). In my opinion, a quick review of Google maps shows considerably more apartment complexes north of O Street. The south side of O, especially south of Hwy 2, has greatly expanded in the past 5 years, and it does not appear that apartment complexes are being built at the same rate as they are in the new areas North of O Street.

B. **Traffic.** I expect traffic will be an issue and safety hazard. There is a significant traffic burden inherent with replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. Now that the traffic is open at 105<sup>th</sup> & O, it is

very clear planning for large traffic volume was not done. The traffic circle is small, and traffic will be backed up in every direction in that traffic circle essentially creating a deadlock/standstill. The 2-lane entry into the neighborhood from 105<sup>th</sup> to O, is not large enough to accommodate such traffic volume. I believe this will be the main access point for residents of these proposed multi-family dwellings. Will there be a traffic light at 105<sup>th</sup> & O? Will there be turning lanes into (on O Street – turning left) and out of the neighborhood (turning right and left onto O street from 105<sup>th</sup>)? If so, how long will the lanes be to accommodate the queue of cars at peak times of travel? I expect this intersection (105<sup>th</sup> & O) will be a major safety hazard and deadly intersection in the future as the speed limit is 65mph. There is a hill on O Street, and if you are turning right onto O, the cars coming over that hill can be difficult to see and/or judge the speed. Recently, I misjudged how fast a car was coming and turned in front of a very fast-moving car. A collision was narrowly avoided.

In the Summer/Fall of 2021 when Holdrege was closed, the traffic on O Street was horrible, especially at peak times. Traffic on O Street was backed up from 84<sup>th</sup> past 98<sup>th</sup> Street in the mornings. It would take me 10 minutes to get from 98<sup>th</sup> Street to 84<sup>th</sup> Street. This will become a daily occurrence if this apartment complex is allowed to be built. While I understand the need for growth, perhaps roads should be in place first to accommodate the increase in traffic. There is only one lane in each direction on O Street, which is not enough for that amount of traffic.

- C. **Storm Drainage.** The original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek is often filled to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, this drainage will be over capacity for similar future rain events. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events, and habitat degradation in bodies of water such as this one.
- D. **Home Values.** Research has shown that that housing prices tend to fall when located near multi-family residential units. I understand that home valuation is complex, market-driven, and an imperfect science, but the change of the neighborhood from a single-family residential neighborhood to nearly 50% of the allowable CUP dwelling units being concentrated in a single building will undoubtedly impact resale values for adjacent homes and potentially the neighborhood.
- E. **HOA Dues.** Our dues pay for the beautification of our neighborhood, among other things. I am told that the tenants who occupy the apartment complex will not pay any HOA dues which means our neighborhood will have less money, or approximately \$7,700.00 less than it would if we had the 77 homes/townhomes as originally planned. Is the complex owner/builder or whomever going to pay that



amount? It seems only fair. They will be in our neighborhood; they should have to pay the dues just the same.

- F. **Public transportation.** There is no public transportation that goes that far east. The farthest city buses travel east is to 84<sup>th</sup> & O Street. If you rely on public transportation, you will be walking a far distance each day on a busy street with no sidewalks. There are also no grocery stores, gas stations, or the like within walking distance. Again, if you rely on public transportation, you will not have it at 105 & O Street.

To reiterate, I am strongly opposed to Special Permit SP17022A. I do not believe any modifications to the original CUP are necessary, and I request the City Council deny it. If the developer had been more transparent with those living in the neighborhood instead of trying to “sneak in” a major change to the neighborhood, I do not believe it would have met as much resistance. I am sure an alternate site for the 462 multifamily dwelling unit can be found in an undeveloped part of Lincoln. It would be wise to plan for it in the beginning stages so families who are buying home, know what will be in their backyards.

Please give consideration to your constituents living in this neighborhood, as I will remember how you voted the next time I vote. Thank you for your understanding and consideration.

Yours,

Malissa Thongdy



## JaMel E. Ways

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**From:** Michelle Smith <smith.michelle.lee.67@gmail.com>  
**Sent:** Friday, January 21, 2022 2:49 PM  
**To:** Council Packet  
**Subject:** Opposition to Special Permit SP17022A

Dear Lincoln City Councilmen and Councilwomen,

My husband Dan and I live at 427 N. 104th Street in Waterford Estates. I am writing in opposition of **Special Permit SP17022A** which was passed by the Lincoln Planning Committee and to **express my deep concern** about the plan to remove 77 single family and townhome lots and add up to 462 multi-family dwelling units to our neighborhood.

I sent an e-mail to the Lincoln Planning Commission dated November 16, 2021 and I attended and spoke at the Planning Commission meeting on November 17, 2021. I understand that my letter and my remarks are on record have been made available to the entire City Council. I am sure you are preparing thoroughly for the hearing and vote on this matter, so I will not take your time by reiterating information I have already contributed.

The additional thought I would like to share with you is this: it was obvious that no member of the Planning Commission had personally observed the area being considered for this very significant change. There was no information revealed from Commission members at the time the ex parte question was posed, therefore all of the information they used to formulate their opinion and cast their vote came from the information shared by the Developer (Mike Eckert) and the Director of City Planning (David Cary), who was standing in for the planner assigned to this special permit (George Wesselhoft) along with the information shared by neighborhood citizens. All follow-up questions to help the Commission members finalize their vote were asked to Mr. Eckert and Mr. Cary.

I implore you, before *you* cast a vote on this matter:

Please drive to Waterford Estates on O Street to 105th Street and drive through our neighborhood.

Please try to imagine the landscape and the homes and the streets (which are all still continuously under development) with 385 more families than were originally planned onto the same land area. Is this **your** vision of what you would like for this neighborhood?

Please notice how close the area in question is to the homes which are already built and are currently being built on the 104th Street curve. Please imagine yourself in the position of someone who bought that land (very recently!) with the understanding that future development alongside them would be for 77 homes.

Please drive through the curvy neighborhood streets toward the new elementary school and notice the streets are positioned on hills and the sidewalks in our growing neighborhood are still being added on each street.

When you leave our neighborhood on the north (via North 98th Street to Holdredge) driving toward 84th Street, please reflect upon the very large number of apartment buildings (both completed and under construction) you have already observed (on both O Street and Holdrege). Please consider whether more multi-family dwellings nestled inside of this neighborhood are really necessary to meet the needs of the citizens of northeast Lincoln?

Thank you very much for your time and consideration.

Sincerely,  
Michelle L. Smith  
427 N. 104th St.  
402-910-6548

Sent from my iPad



## JaMel E. Ways

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**From:** Kathryn Doornbos <kdoornbos@foundationmedicine.com>  
**Sent:** Friday, January 21, 2022 3:30 PM  
**To:** James M. Bowers; Council Packet  
**Subject:** Opposition to SP17022

Hello Chair Bowers & the entire City Planning Commission -

I want to communicate my opposition to the Special Permit SP17022A for which there is a public hearing on Monday, Jan 24<sup>th</sup> – the intent of this special permit is to change the community unit plan at Dominion at Steven's Creek to remove 77 townhome units and add 462 apartment units in a proposed complex consisting of 7 multi-story buildings.

I live at 701 N 105<sup>th</sup> St and I am a constituent of the NE City Council District. I chose to move from out of state to Dominion at Steven's Creek in May 2021, as opposed to other neighborhoods in Lincoln, in large part after examining the community unit plan (CUP) as approved originally by the City in April 2018. I value that my new home is a newer build in a neighborhood that is composed entirely of single-family and townhomes. The nearby lake, quiet streets, large lots and low population density at the edge of town is also extremely appealing. I look forward to the neighborhood expanding to include more single family & townhomes as the phases of the development are completed. I am excited about the new elementary school presently being built. However, I do not believe that a seven-building, multi-story apartment complex fits the character of the neighborhood. I have major concerns about traffic, storm drainage, parking and the ability of the developer to make this massive change to the neighborhood without any neighbor support (and with very little communication until neighbors raised concerns). The developer will get all of the benefits of this apartment complex (estimated ~\$500,000/mo gross rent) while the neighboring residents will be left with what feels like a bait/switch scheme to attract a basis of homeowners to anchor our new community and then amend the community plan to attract market-value-plus rental tenants. There are only 68 currently occupied homes in Dominion at Steven's Creek and 36 neighbors wrote in opposition to the City Planning Commission. No neighbors wrote in support of this special permit. I hope this overwhelming level of neighborhood opposition will be carefully considered by you all.

I received notice of SP17022A on 11/8/21 via City Notice through USPS, I spoke in opposition to the special permit at the City Planning Commission meeting on 11/17/21, I appealed the City Planning decision to City Council on 11/29/21 and I wrote you all to support the rescheduling of the public hearing on 1/8/22. I am writing now to more fully outline why I am concerned about this change to my community.

Notably, the 11/8/21 letter from City Planning Commission was the first notification of this change to the CUP. When I spoke to the HOA management company that day, they also had only been recently notified of this proposed amendment but didn't know the City Planning meeting date/time until I informed them. I think it is very notable that this proposal was never proactively presented by the developer to existing homeowners even though there was a virtual HOA meeting on the evening of Sept 28<sup>th</sup> 2021 (the day before the special permit application was made to the city for the change to the CUP on Sept 29<sup>th</sup>). It is a shame it was not presented where it could have been discussed transparently with an opportunity for direct feedback from current residents. The timing was unfortunate at best and deceptive at worst.

The developer, after hearing strong opposition at the City Planning Meeting, has made some changes to the original site plans. He has added 100ft set backs. He has changed the traffic pattern to limit direct access to 105<sup>th</sup>. He offered up a gentleman's agreement to not use additional available space to expand the proposed project by way of covenants on a small tract of land to be filed at the final plat registration with the city. While I appreciate that he is now weighing neighborhood feedback in the site plans – I still remain in total opposition to 462 unit, 7-building apartment complex replacing the originally planned 77 townhome units.



My home would be within 2.5 blocks of the proposed apartment units, on a street that will become a thoroughfare for the 800+ additional cars that will be added by apartment tenants and the 7 buildings will be visible on the skyline when looking southward from inside & outside my home. The apartment buildings sit on a hill compared to the entire neighborhood and will be visible to nearly every home within a 5 block radius. My home and neighborhood will be directly and permanently negatively impacted by this change to the CUP. The City Council is the last regulatory step before the developer is given broad leeway to begin this project and then work through non-public-hearing, administrative-only approvals of final plans.

I believe this development will have multiple detrimental effects upon the neighborhood :

- 1) **Traffic** : There is a significant traffic burden implicit in replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. This is a 6 fold increase in potential population density for this small area and - in a town like Lincoln where a car is nearly required to do business and manage a family - will undoubtedly create a 6-fold increase in motor-vehicle traffic on both the neighborhood roads and O street. I am sure part of the allure of placing apartments at this position is the new elementary school near Holdrege, much of this traffic volume may have a high likelihood of traversing the surface streets of the neighborhood ... these neighborhood streets are ill equipped for a 6-fold increase in traffic. I'm unsure that the 2 lane entry into the neighborhood from O to 105<sup>th</sup> is large enough to accommodate such traffic volume. The site plan indicates this will be the main access point for residents of these proposed multi-family dwellings. The distance from the newly installed traffic circle on 105<sup>th</sup> to the 105<sup>th</sup>/O St interchange is exceedingly short and I don't think will accommodate significant length turning lanes onto O --- I expect this to be a safety hazard in the future as traffic will have a penchant to back up into the traffic circle causing confusion and fender/benders. I invite you to drive this interchange and imagine 600+ vehicles navigating it at peak traffic times.

Notably – plans for additional apartments have just recently been announced for the 98<sup>th</sup> entrance of Waterford Estates so there will be two, massive complexes added to O Street, east of 84<sup>th</sup>, within 0.25mile of one another. This is in addition to new apartments that recently were added South of O Street across from the community college and new student housing buildings planned at the Southeast Community College in the coming years. In the City Planning Commission meeting, the City Traffic staff said no traffic study is needed despite adding a potential multi-thousand of apartment resident cars in quick succession on O Street East of 84<sup>th</sup>. The single light that exists presently seems insufficient to manage this traffic influx and the nature of topography on O Street in this area creates dangerous blind spots for those turning northward off of O Street at 98<sup>th</sup> & 105<sup>th</sup> already... which will only be exacerbated by higher traffic volume.

Surely there are better locations for apartment complexes such as this that are not interior to a neighborhood, allow easy access to public transportation, and where traffic can be more proactively planned for an managed.

- 2) **Parking** : I understand the developer is asking for no parking waiver and thus, by R-3 zoning requirements, will be required to provide for 1.5 parking spots per dwelling unit (for a total of 693 parking spots) By my calculations, a parking lot would need to be ~475ft wide x ~475ft deep (or a total area 225,625 sqft, ~5 acres) for a 60° or 90° parking configuration. The developer has spoken about a combination of underground and surface parking to accommodate this. The site plans (all up for revision – with revisions happening through city administrative process without public hearings or neighbor feedback) indicate there will be both surface and underground parking. Nonetheless, I have concerns that if parking capacity may not meet driver capacity. I find it more likely that 462 dwelling units may need closer to 2 parking spots per unit for a total of 924 cars given the lack of walkable public transit and the plan for these apartments to be market-rate-plus and majority one & two bedroom units. I have to imagine that most units will have two, productive adults living there... and, in my working knowledge of living in Lincoln, I expect that two productive adults will need two functional vehicles to commute to work, ferry children, run household errands, etc. Should there be closer to two cars per unit, the current parking plan may lead to a ~230 parking space deficit... which will spill out on the streets of the surrounding neighborhood. This is concerning. Within Dominion both driveway & garage parking capacity exists for existing single family homes – very, very few cars are parked on the street for more than a few hours and



nearly none are street parked overnight. The city planner stated at the City Planning Commission meeting that the streets are wide enough to accommodate street parking but I invite you to drive the neighborhood... you will quickly encounter construction vehicles double-parked... I often find myself creeping through at a snail's pace to not damage the parked vehicles or my own. When I drive my fiancé's dually truck, I will sometimes be forced to reroute to avoid instances of double parking that I cannot clear. Adding >200 vehicles on the 104<sup>th</sup>, 105<sup>th</sup> and 108<sup>th</sup> streets adjacent to the proposed apartment complex sounds like a recipe for trouble given what currently happens with transient construction vehicles today. I get the sense the city planner has seen the neighborhood on paper but has never driven our streets I invite you all to visit the neighborhood and experience this for yourselves. I worry that overflow parking into the neighborhood will change this particular neighborhood character and lead to sustained parking impediments in access for single family homeowners, emergency vehicles, utility service vehicles, etc.

- 3) **Storm Drainage** : the original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek often is full to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, I imagine this drainage may be over capacity for similar future rain events. There is a drainage catchment planned on the site and the size is still being calculated. I know that the City has concerns about drainage at this site and it seems these plans are still in the works. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events and habitat degradation in bodies of water such as this one lake (now established for ~10years with its own ecosystem of fish, minks, fox, birds of prey and other water fowl).

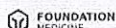
I was a City Planning Commissioner in Birmingham, Alabama – where we moved from – and sat on the subdivision committee as well as the full Planning Commission for nearly five years. As a result, I have experience with the Planning Commission process and understand that a Planning Commission is a board of citizens charged by state and local law with advising the City Council and County Board on a variety of planning and development matters. It was clear to me from the Lincoln City Planning commission meeting that the community plan has allowable density which can be filled and that the R-3 zoning is flexible in allowing apartment complexes such as those proposed. The Planning Commission thus had their hands tied and likely couldn't oppose – via city code or zoning –this development. However, that changes with you. As City Councilors you have the unique ability (and charge as elected community servants) to listen closely to your constituents, to consider the majority neighbor opposition of this revision to the community plan and to vote in opposition of allowing this development to change the character of one of NE Lincoln's newest neighborhoods.

I hope the City Council will strongly consider joining the residents of Dominion at Steven's Creek in opposition of Special Permit SP17022A

grateful,  
Kathryn

KATHRYN DOORNBOS, PhD  
Account Executive | NE/MN/SD/ND  
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Foundation Medicine, Inc. | 150 Second Street, Cambridge, MA 02141  
www.foundationmedicine.com  
LinkedIn | Twitter | YouTube | Glassdoor

*Our passion is personal.*



## JaMel E. Ways

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**From:** Met Shafer Gallagher <metshafergallagher@gmail.com>  
**Sent:** Friday, January 21, 2022 3:46 PM  
**To:** Council Packet  
**Cc:** Mayor  
**Subject:** Understaffing at LPD

Good afternoon,

I am interested in learning what the Mayors Office and the city council are specifically going to address this issue? Numerous shifts each month are under minimum staffing requirements. This isn't new news. It has been like this for years. We do not stack up well against other departments serving similarly sized communities.

Please provide me with some detailed action steps being implemented. We MUST take this issue seriously and act aggressively to combat the drain of talent from our hardworking department. PLEASE take this seriously....we, as a community are counting on you!

Thank you,

Met Gallagher



## JaMel E. Ways

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**From:** Kent Thompson <kthompson@cretrg.com>  
**Sent:** Friday, January 21, 2022 4:35 PM  
**To:** Council Packet  
**Subject:** Apprentice Bonus

First get in touch with LPS about students in trade school at SECC

Second get in touch with SECC

Third if apprentice's company comes from Omaha or any other town outside of Lancaster County subtract points – keep our tax dollars in Lincoln!!!

Fourth is Lincoln company then they go in front of all other bids

Kent Thompson  
President



2601 Jamie Lane  
Lincoln, NE 68512  
402-421-7700  
kthompson@cretrg.com

**JaMel E. Ways**

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**From:** Shawna Richter-Ryerson <shawna.richter@gmail.com>  
**Sent:** Sunday, January 23, 2022 10:42 AM  
**To:** Council Packet  
**Subject:** Vote yes on new city flag design

I wanted to reach out about tomorrow's vote on the new city flag design. I think the new flag, by Ed Mejia, is a beautiful representation of the city in which we live. I am not a Nebraska native, but I've lived in Lincoln for the past 10 years. In that time, my husband and I have bought a home and had two children, who identify Lincoln and Nebraska as their forever home. I think Mejia's design will still be an accurate and fresh representation of our city when my children are grown and active in their community. In his design, I see all of Lincoln's strengths and its bright future. Please vote yes to make this flag Lincoln's new one.

Shawna Richter-Ryerson  
3800 S 20th St  
Lincoln, NE 68502

Sent from my iPhone

## JaMel E. Ways

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**From:** Lisa Martz <lvstmpn@gmail.com>  
**Sent:** Sunday, January 23, 2022 11:44 AM  
**To:** James M. Bowers; Council Packet  
**Subject:** Opposition to Special Permit #17022A

My husband and I lived in a very congested neighborhood prior to moving into the Dominion neighborhood. We made the decision to put all of that behind us, downsize our home and move to a neighborhood that was more quiet and had a "country-like" feel. We took great care in choosing our neighborhood...took nearly 2 years to decide. We also took care in choosing our location within that neighborhood so there were not any houses directly behind us and we had some privacy with some trees.

My husband and I have lots of concerns with the addition of this large 7 building apartment complex proposed to be built in the neighborhood we chose so carefully. 77 single-family dwellings or townhomes is one thing, but a 467 unit apartment complex is quite another! The traffic is going to increase exponentially. Our quiet neighborhood streets will become racetracks, especially to the school and businesses. It is hard to get out of the neighborhood onto O Street now during peak hours, now add between 467-1000 additional vehicles to that already existing issue. Not to mention that 104th St, 102nd St, Crescent Moon Dr and Shoreline, which will be the major streets to the new school, will have an increase in traffic when the school opens making it nearly impossible at peak times to navigate out of the neighborhood. Our roads will get beat up and require repairs sooner. Vandalism will become an issue. The new school will already be over capacity shortly after opening. Home values will decrease. My quiet country-like neighborhood will be surrounded on all sides by apartments which is exactly why I moved from my other home/neighborhood!

All of the apartment complexes that are existing near Walmart on N. 84th, the Flats on O Street across from SCC, the complex being built north of the N. 84th HyVee and the complex being built on east Holdrege have vacancies...so I don't understand the NEED for any more apartment housing. It just doesn't make sense.

From my perspective, this amendment is a bait/switch for existing homeowners, a potential attempt to quietly change the character of the neighborhood without soliciting existing homeowner feedback and, if approved, will have multiple detrimental effects upon the neighborhood :

1. **Traffic :** There is a significant traffic burden implicit in replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. This is a 6 fold increase in potential population density for this small area and - in a town like Lincoln where a car is nearly required to do business and manage a family - will undoubtedly create a 6-fold increase in motor-vehicle traffic on both the neighborhood roads and O street. Since I am sure part of the allure of placing apartments at this position is the new elementary school near Holdrege, much of this traffic volume may have a high likelihood of traversing the surface streets of the neighborhood ... these neighborhood streets are ill equipped (and not designed for) for a 6-fold increase in traffic. I'm also unsure that the 2 lane entry into the neighborhood from 105<sup>th</sup> to O is large enough to accommodate such traffic volume as I imagine this will be the main access point for residents of these proposed multi-family dwellings. Will there be a traffic light at 105<sup>th</sup> & O? Will there be turning lanes into (on O Street – turning left) & out



of the neighborhood (turning right and left onto O street from 105<sup>th</sup>) – if so, how long will they be to accommodate the queue of cars at peak times of travel? The distance from the newly installed traffic circle on 105<sup>th</sup> to the 105<sup>th</sup>/O St interchange is exceedingly short and I don't think will accommodate significant length turning lanes onto O --- I expect this to be a safety hazard in the future as traffic will have a penchant to back up into the traffic circle causing confusion and fender/benders.

2. **Parking :** I understand the developer is asking for no parking waiver and thus, by R-3 zoning requirements, will be required to provide for 1.5 parking spots per dwelling unit (for a total of 693 parking spots) By my calculations, a parking lot would need to be ~475ft wide x ~475ft deep (or a total area 225,625 sqft which is about 5 acres) for a 60° or 90° parking configuration. I have concerns that if parking capacity does not meet driver capacity (and the likelihood that 462 dwelling unities may need closer 2 parking spots per unit for a total of 924 cars) there will be overflow parking on the streets of the surrounding neighborhood. As I'm sure you are aware, within Dominion both driveway & garage parking capacity exists in these single family homes – very, very few cars are parked on the street for more than a few hours and nearly none are street parked overnight. I worry that overflow parking into the neighborhood will change this particular neighborhood character and lead to impediments in access for single family home owners, emergency vehicles, utility service vehicles, etc and frustrations by the neighbors.
3. **Storm Drainage :** the original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek often is full to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, I imagine this drainage may be over capacity for similar future rain events. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events and habitat degradation in bodies of water such as this one lake (now established for ~10years with its own ecosystem of fish, minks, fox, birds of prey and other water fowl).
4. **Home Values :** Research has shown that that housing prices tended to fall within close proximity to multi-family residential units (<https://www.sciencedirect.com/science/article/pii/S016604620400016X>) – I understand that home valuation is complex, market-driven and an imperfect science but the change of the neighborhood from a single family residential neighborhood to nearly 50% of the allowable CUP dwelling units being concentrated in a single building will undoubtedly impact resale values for adjacent homes and potentially the neighborhood as a whole.

I strongly oppose special permit #17022A. While my husband and I are unable to attend the meeting on January 24th, we do want our voices heard!

Lisa Martz

## JaMel E. Ways

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**From:** Linda Kennedy <kennedyranger@yahoo.com>  
**Sent:** Sunday, January 23, 2022 4:13 PM  
**To:** Council Packet; James M. Bowers  
**Cc:** Dennis Scott  
**Subject:** Opposition to SP17022A

Hello City Council,

We want to communicate our opposition to the Special Permit SP17022A.

My husband and I purchased a home at 1126 N 97th St in August 2021. We chose this community as it was in a great neighborhood. It was like our little piece of country in the city. We valued that it was a newer build in a neighborhood that was composed entirely of single family and townhomes. We are unhappy about the proposed changes.

From our perspective, this amendment is a bait/switch for existing homeowners, a potential attempt to quietly change the character of the neighborhood without soliciting existing homeowner feedback. The following is a list of problems that we foresee apartment buildings bringing to our area. This list was developed by Kathryn Doornbos and completely agree that these will have multiple detrimental effects upon the neighborhood :

1. **Traffic :** There is a significant traffic burden implicit in replacing 77 single-family and townhome lots with up to 462 multifamily dwelling units. This is a 6 fold increase in potential population density for this small area and - in a town like Lincoln where a car is nearly required to do business and manage a family - will undoubtedly create a 6-fold increase in motor-vehicle traffic on both the neighborhood roads and O street. Since I am sure part of the allure of placing apartments at this position is the new elementary school near Holdrege, much of this traffic volume may have a high likelihood of traversing the surface streets of the neighborhood ... these neighborhood streets are ill equipped (and not designed for) for a 6-fold increase in traffic. I'm also unsure that the 2 lane entry into the neighborhood from 105<sup>th</sup> to O is large enough to accommodate such traffic volume as I imagine this will be the main access point for residents of these proposed multi-family dwellings. Will there be a traffic light at 105<sup>th</sup> & O? Will there be turning lanes into (on O Street – turning left) & out of the neighborhood (turning right and left onto O street from 105<sup>th</sup>) – if so, how long will they be to accommodate the queue of cars at peak times of travel? The distance from the newly installed traffic circle on 105<sup>th</sup> to the 105<sup>th</sup>/O St interchange is exceedingly short and I don't think will accommodate significant length turning lanes onto O --- I expect this to be a safety hazard in the future as traffic will have a penchant to back up into the traffic circle causing confusion and fender/benders. There are already problems with traffic at 84th & O. The light doesn't stay green for very long and you end up sitting thru 5 light changes to get thru the intersection. The traffic backs up almost to the Waterford Estates entry. Additional traffic from apartment buildings will only make it worse.
2. **Parking :** I understand the developer is asking for no parking waiver and thus, by R-3 zoning requirements, will be required to provide for 1.5 parking spots per dwelling unit (for a total of



693 parking spots) By my calculations, a parking lot would need to be ~475ft wide x ~475ft deep (or a total area 225,625 sq ft which is about 5 acres) for a 60° or 90° parking configuration. I have concerns that if parking capacity does not meet driver capacity (and the likelihood that 462 dwelling units may need closer 2 parking spots per unit for a total of 924 cars) there will be overflow parking on the streets of the surrounding neighborhood. As I'm sure you are aware, within Dominion both driveway & garage parking capacity exists in these single family homes – very, very few cars are parked on the street for more than a few hours and nearly none are street parked overnight. I worry that overflow parking into the neighborhood will change this particular neighborhood character and lead to impediments in access for single family home owners, emergency vehicles, utility service vehicles, etc and frustrations by the neighbors.

3. **Storm Drainage** : the original proposed 77 single family homes/townhomes generate disproportionately less concentrated volume of storm water drainage than larger buildings with adjacent parking hard-surfaces. The borrow ditch running parallel to O Street from 105<sup>th</sup> to the tributary of Stevens Creek often is full to the brim during high volume rain events like we saw in October. Should there be a substantial increase in impermeable surface through the installation of large buildings or parking lots, I imagine this drainage may be over capacity for similar future rain events. I also have concerns about the neighboring recreational, residential lake at Waterford. Excess storm drainage can cause algal blooms, fish die-offs, birds of prey poisoning events and habitat degradation in bodies of water such as this one lake (now established for ~10years with its own ecosystem of fish, minks, fox, birds of prey and other water fowl).
4. **Home Values** : Research has shown that that housing prices tended to fall within close proximity to multi-family residential units (Measuring the effects of mixed land uses on housing values) – I understand that home valuation is complex, market-driven and an imperfect science but the change of the neighborhood from a single family residential neighborhood to nearly 50% of the allowable CUP dwelling units being concentrated in a single building will undoubtedly impact resale values for adjacent homes and potentially the neighborhood as a whole.
5. The following are apartment complexes that currently exist or are in the process of being built:
  1. The Flats at 90th & O St
  2. Shadow Ridge at 90th & O St
  3. College Park Apartments at 84th & O St
  4. Sunridge Apartments at 84th & O to Holdrege St
  5. Timberline Apartments at 84th & O to Holdrege St
  6. Cornerstone Apartments at 84th & Holdrege St
  7. New apartment complex on Holdrege between 84th & 98th
  8. New apartment complex by HyVee on 84th & Northern Lights Dr
  9. Lexington Ridge Apartments on 84th & Lexington

How many apartment buildings do we need in a such a small area? We would request that you vote no to SP17022A and keep the apartments out of Dominion Stevens Creek and the Waterford area.

Thank you

Linda and Dennis Scott



## JaMel E. Ways

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**From:** arubarobby@gmail.com  
**Sent:** Monday, January 24, 2022 12:56 PM  
**To:** Council Packet  
**Subject:** Appeal of the Planning Commission's Recommendation on Stevens Creek Special Permit 17022A  
**Attachments:** RE: Dominion at Stevens Creek Special Permit 17022A

Please see the attached string of email correspondence between myself and Sandra Washington over the past two days. I will be referencing it in comments to be made later this afternoon and thought it should be filed.

Respectfully submitted,

Orson R. Robinson, Jr.

520 N. 105 Street

Lincoln, NE 68527

[arubarobby@gmail.com](mailto:arubarobby@gmail.com)

402-202-4988 (c)

402-488-3332 (h)

## JaMel E. Ways

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**From:** Sandra J. Washington <SWashington@lincoln.ne.gov>  
**Sent:** Monday, January 24, 2022 10:42 AM  
**To:** arubarobby@gmail.com  
**Subject:** RE: Dominion at Stevens Creek Special Permit 17022A

Good Morning Robby: I understand adrenaline! Last night's game was wild! Thank you for sending the Covenants. I will do my best to read through all the material again before the hearing. –Sandra

Sent from Mail for Windows

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**From:** [arubarobby@gmail.com](mailto:arubarobby@gmail.com)  
**Sent:** Monday, January 24, 2022 8:49 AM  
**To:** [Sandra J. Washington](mailto:Sandra J. Washington)  
**Subject:** RE: Dominion at Stevens Creek Special Permit 17022A

And I certainly didn't mean to be disrespectful last night either. The adrenaline might have been flowing a little too much from me watching the KC Chiefs' game while reading and responding to your note.

Rather than bring the covenants as you requested, I'm attaching them here to perhaps give you more time to review them. Please note they were in draft form at the closing on our lot, but we were assured they were in the final approval process. We received them on August 30, 2019 from Dominion's attorney. Please also note they had previously been signed by an Assistant City Attorney on August 28, 2019.

If you're trying to follow the dates involved, I think my 20-Jan-22 set of comments do the best job of laying them out. The attachments (maps) are dated in very small print in the corners and it's very hard to read some of them. But in spite of my note last night saying the developers first 'proposed the rules in 2018', the first attachment shows the single-family Community Unit Plan (CUP) was apparently drafted in 2017. The second attachment (with phases identified) is easier to read and it is clearly dated 02/22/2018. Please also note that the project number on the document is "2017-0204", again reflecting that the original CUP planning began in 2017. The 2<sup>nd</sup> attachment bears a "Final Approved Copy" stamp at the top. I don't know who put it on, but it looks pretty *administrative* and my guess is that it was someone in the Planning Department. The 3<sup>rd</sup> attachment shows the revised CUP with the apartment plan, but the date on the map I have has been written over. Regardless, the Project Number in the lower right corner appears to be 2020-0234, and the map form itself bears a 2021 beneath the 'Dominion at Stevens Creek Amendment to Special Permit 17022A' on the lower right side. It would be very interesting to have someone in the Planning Department provide a history of the entire subdivision and also the dates on any maps sent to them from Civil Design Group, Inc.

Anyway, my apologies again and I'll see you at the meeting. I'm still not sure I will speak, though, as I've already provided my comments to the entire City Council. We'll see how it goes.

Robby

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**From:** Sandra J. Washington <SWashington@lincoln.ne.gov>  
**Sent:** Sunday, January 23, 2022 9:14 PM



**To:** arubarobby <arubarobby@gmail.com>

**Subject:** RE: Dominion at Stevens Creek Special Permit 17022A

Robby: I certainly mean no disrespect by describing the situation as I did. You make a very good point. If you plan on testifying tomorrow, please bring the covenants you've mentioned. –Sandra Washington

Sent from Mail for Windows

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**From:** arubarobby

**Sent:** Sunday, January 23, 2022 9:08 PM

**To:** Sandra J. Washington

**Subject:** RE: Dominion at Stevens Creek Special Permit 17022A

Sandra,

I beg to differ, but the basic issue isn't 'scope and scale'. It's integrity (or lack thereof) and the rights of citizens. Scope and scale might be secondary issues, but they're certainly not the primary issue, for us anyway, and I believe for many others as well.

The key issue is 'Why should Developers have the City's blessing to subvert my right to live where I want (chosen specifically because of the protection afforded by a City-approved CUP and Covenants) in order to make more money than they've already made?' They proposed the rules for the area in 2018-2019, the City approved them in 2019, their partners sold property to us between 2019 -2020 under the City-approved assurances, and now they want to change the rules near the end of 2021 in order to make money at our expense and happiness. And I'm stunned that you believe this is 'not unusual' and a 'scope of scale' issue. If it is, we have a much bigger problem to deal with -- and City government is the enabling part of it.

I do plan to speak tomorrow -- now -- because of your comments here. I sincerely thank you for responding, but still must respectfully offer that you have missed many of the points of our entire neighborhood's objections over what the Developers are trying to pull off with the crooked 'bait and switch'. And instead, you seem willing to accept it on a 'business as usual' basis.

I hope the residents of our City closely watch your vote tomorrow -- as I believe they will. If I'm right, they will be frustrated and upset if you choose to vote to uphold the rights of Developers over those of our Citizens. Above all else, I expect the City Council to protect my rights.

Robby Robinson

Sent from my Galaxy

----- Original message -----

From: "Sandra J. Washington" <SWashington@lincoln.ne.gov>

Date: 1/23/22 7:38 PM (GMT-06:00)

To: arubarobby@gmail.com

Subject: RE: Dominion at Stevens Creek Special Permit 17022A

Mr. and Ms. Robinson: Thank you for sending your letter along with the attachments showing the history of the project for the last four years. I've heard from a number of your neighbors, all expressing similar concerns. It is not unusual for large projects to make changes over time, and in this instance, it seems the scope and scale of change is the issue. I look forward to a robust conversation between all interested parties during public hearing tomorrow. –Sandra Washington

Sent from [Mail](#) for Windows

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**From:** [arubarobby@gmail.com](mailto:arubarobby@gmail.com)  
**Sent:** Thursday, January 20, 2022 1:59 PM  
**To:** [James M. Bowers](#); [Jane Raybould](#); [Tammy J. Ward](#); [Bennie R. Shobe](#); [Sandra J. Washington](#); [Tom J. Beckius](#)  
**Cc:** [Council Packet](#)  
**Subject:** Dominion at Stevens Creek Special Permit 17022A

City Council Members:

Please see our additional comments regarding the November 17 Minutes of the Planning Commission and our appeal to overturn the earlier approval of Special Permit 17022A.

Thank you.

Orson R. Robinson, Jr.

Sue D. Robinson

[arubarobby@gmail.com](mailto:arubarobby@gmail.com)

[arubasusie@gmail.com](mailto:arubasusie@gmail.com)

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## JaMel E. Ways

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**From:** Kris Thompson <kthompson5@twc.com>  
**Sent:** Tuesday, January 25, 2022 4:40 PM  
**To:** Council Packet  
**Subject:** New City Flag  
**Attachments:** Green\_Flag.jpg; Mismatch.jpg; Blue\_and\_Green.jpg

Dear Council Members.

Now that a new city flag has been adopted, and backers plan to plaster it all over town, the first order of business should be to standardize its colors before that begins.

I don't feel that I even know what the real colors are supposed to be, although I have read teal, navy blue, and gold. Attached are 3 recent images.

Green\_Flag.jpg is what the Journal-Star has been using, and I do not see any navy blue. Mismatch.jpg is a screen capture from the Council meeting showing the color mismatch between the representation on the supporters' T-shirts, which appears as 3 shades of blue, versus that on the card, which appears green and gold. Blue\_and\_Green.jpg is the image that I'm guessing is the truest color representation.

And in the future, maybe Council Members can just wear T-shirts reading "My Mind's Made Up; Public Comment Is Not Needed."

Thank you for your consideration of this matter.

Kris Thompson